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NATIONAL PARK AT NIAGARA FALLS.

LETTER

FROM

THE SECRETARY OF WAR,

SUBMITTING,

WITH COPY OF A REPORT OF A SPECIAL COMMITTEE, A RECOMMENDATION FOR THE ESTABLISHMENT OF A NATIONAL PARK AT NIAGARA FALLS.

December 21, 1909.—Referred to the Committee on Public Buildings and Grounds and ordered to be printed, with illustrations.

War Department,
Washington, December 13, 1909.

Sir: The act of Congress for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and other purposes, received executive approval June 29, 1906. With a view to carrying that legislation into effect, the Secretary of War, on January 18, 1907, appointed a committee of landscape architects and others well fitted by training and experience to advise him in that regard, and charged them with the study of present conditions at the Falls, with a view to devising such measures, at reasonable cost, as would result in improving the scenic aspects on the American side of Niagara gorge, particularly in what is known as the "milling district" in the vicinity of the Falls, which occupies the brink of the gorge for nearly a mile below the New York state reservation.

Copies of the reports of the committee above referred to are transmitted herewith.

With a view to applying a remedy to the conditions disclosed by the committee in its reports, such steps as were within the authority of the War Department were immediately taken to diminish certain objectionable practices which had grown up in connection with the installation of power plants on the American side of the river. In some cases clauses looking to the betterment of existing conditions were embodied in the permits issued to grantees in the operation of the act of June 29, 1906, for the diversion of a limited quantity of water from the river above the Falls for power purposes.

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Perhaps the most important recommendation of the committee relates to the establishment of a national park on the American side of the river. It will, I think, be generally conceded that the preservation of the scenic features of this great waterfall is an object which appeals with peculiar force to the American people, and that object can, in my opinion, be best attained by the acquisition of such lands on the American side of the river as are necessary to the establishment of such a national park.

In view of the foregoing, I have the honor to recommend the establishment of such a park as is suggested by the very competent committee, leaving the question of its general scope and the acquisition of the necessary land to the judgment and liberality of Congress.

Very respectfully,

J. M. Dickinson,
Secretary of War.

The Speaker of the House of Representatives.

April 5, 1909.

Sir: The Niagara Falls committee, appointed by the Secretary of War January 18, 1907, submits the following report: (A) To cover the period since April 13, 1908, the date of its last report, and (B) to bring certain suggestions to the attention of the authority which created the committee.

(A) RECORD FROM APRIL 13, 1908, TO DATE.

1. By order of the Secretary of War, dated August 10, 1908, Maj. Charles W. Kutz was relieved of his duties in connection with this committee by Maj. Charles Keller, Corps of Engineers, U. S. Army.

2. The process of remedying the objectionable features on the American side of the gorge, immediately north of the highway bridge, has continued. As far as power house No. 2 the refuse accumulated during many years between the buildings of the milling district and the river has been removed, and effective measures have been taken by the Niagara Falls Hydraulic Power and Manufacturing Company and the Niagara Falls Power Company to prevent the future dumping of refuse by the abutting owners or others. Some of the streams of tail water discharged upon the cliff have been eliminated. In addition, the construction of power house No. 3 has been continued in the manner agreed upon. Four penstocks, with their accompanying generating sets, are completed, and are faced with a wall of rubble masonry, which harmonizes as well with the adjacent cliff as any artificial structure can be made to do. A fifth penstock is completed but not housed, and two others are undergoing erection. An eighth penstock is also to be erected, and when it is completed this second group of four will be screened from view by a rubble masonry wall and the power house extended to cover the corresponding units. Two photographs are submitted with this report to illustrate the relative advancement of these operations on respective dates of May 23, 1908, and March 18, 1909. The attempt to restore a suitable growth of vegetation on the denuded slope on the American side, just below the bridge, appears to be succeeding. This matter is treated at length

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in the report of Mr. Olmsted, dated October 12, 1908. The work is to be continued this spring.

3. Up to the present time, the Niagara, Lockport and Ontario Power Company has not, as required by its permit for power transmission, taken steps "to restore the natural growth on the sides of the gorge where power is now brought into the United States." Mr. Olmsted, who has had this matter in charge, has informed the committee that this company is now preparing to make part, if not all, of the necessary plantings during the coming summer.

(B) SUGGESTIONS.

1. In the committee's report of April 13, 1908, the objectionable character of the steel-arch highway bridge was fully set forth. Since that time the committee has learned that during the autumn of 1907, when unusual crowds were attracted by searchlight illumination of the Falls, this bridge oscillated to such an alarming extent under the moving throng that some anxiety as to the stability of the structure was felt on the part of those in charge. Illuminations on a larger scale and of a more or less permanent installation are now being projected, and the question of the reconstruction of the bridge may become of early importance. For the reasons stated in the report, another arch bridge should not be permitted. The suspension type of bridge, if employed here, would once more render available "the most satisfactory and impressive general view (of the Falls) obtainable from the brink of the gorge," and the committee urgently recommends that, so far as permissible, the International Railway Company, which owns the bridge, be urged to replace the present structure with one of the suspension type. In any case, the lower members of any new bridge should be so adjusted in elevation as not to interfere with the view above referred to.

2. In its report of April 13, 1908, the committee has already recommended, as the only thorough solution of the problem presented to it, the acquisition by the United States of a strip of property extending the whole length of the gorge, north of the state reservation, and embracing the talus, the cliff, and a tract of land at the top normally not less than 100 yards wide, this strip to be converted into a national reservation, the buildings now upon it to be gradually removed. The committee in renewing this recommendation desires to suggest a means whereby it may be carried into effect practically without cost to the United States.

The hearings before the Secretary of War on November 26 and 27, 1906, showed that for the privilege of diverting water within the park limits the commissioners of the Queen Victoria Park received as compensation from each of the three Canadian power companies at Niagara Falls not less than the following annual rentals:

	Cost per horsepower.
For the first 10,000 horsepower	$1.50
For the second 10,000 horsepower	1.00
For the third 10,000 horsepower	.75
For all above 30,000 horsepower	.50

These rentals probably also cover the privilege of occupying land within the park.

On the New York side the Niagara Falls Power Company and the Niagara Falls Hydraulic Power and Manufacturing Company own the

land upon which their works are situated, and also as riparian owners claim to own the bed of the Niagara River to the international boundary. To this extent their position differs from that of the Canadian power companies.

In view of the fact that any tax levied upon the power companies must in the final event be paid by those who use the power and who thus benefit financially at the expense of the volume of flow of the Falls, there would seem to be no injustice in compelling those who are now securing this cheap power to contribute toward a fund which shall serve to rescue the gorge from its present desecration and preserve it permanently against further abuse.

We therefore believe that a small annual tax per horsepower should be levied upon all power generated at Niagara Falls on the American side or imported into the United States from Canada, this tax to be covered into a fund for the purchase and maintenance of the national reservation above recommended. The amount of tax which could be imposed without placing an unfair burden upon the business can not be decided upon without a thorough study of the situation, and we recommend that an inquiry be made upon this point by the proper officer of the Government, acting in consultation with our committee.

We are without knowledge as to the value of the land needed for a proper reservation. With your authority, one of the field parties of the Lake Survey, of which the secretary of this committee is in local charge, might readily make the necessary survey, and a local real estate expert might be engaged to appraise the land, much of which is of small value. It is possible that funds appropriated by the act of June 29, 1906, might be used for this purpose. Otherwise, an appropriation would be needed to pay for the necessary field work.

Respectfully submitted.

F. D. MILLET,
Chairman pro tempore;
FREDERICK LAW OLMSTED;
JOHN STEPHEN SEWELL;
CHARLES KELLER, *Secretary,*
Major, Corps of Engineers, U. S. Army,
Members of Committee.

The SECRETARY OF WAR,
Washington, D. C.

NEW YORK CITY, N. Y., *April 13, 1908.*

MR. SECRETARY: The committee appointed by you to consider the preservation of natural scenic effects at Niagara Falls, N. Y., has the honor to submit the following report of its investigation and conclusions and of results accomplished up to the present time:

In the opinion of the Secretary of War, dated January 18, 1907, the duties of the committee were stated to be the study of the situation with a view to devising remedial measures of reasonable cost which would result in improving conditions on the American side of the Niagara Gorge, particularly in what is known as the "milling district" of the city of Niagara Falls, that portion of the city occupying the brink of the gorge for a distance of nearly a mile below the New York state reservation.

At the first meeting of the committee on March 19, 1907, however, the Secretary of War authorized the committee to consider the scenic and artistic conditions in a broad and general way, while preserving the essence of the definition of its duties, as set forth in his opinion dated January 18, 1907.

In pursuance of its instructions, the committee has held a number of meetings, at Niagara Falls and elsewhere, which are sufficiently recorded in a preliminary report of progress, submitted in September, 1907, and in the other records pertaining to the committee's work. The details of the organization of the committee, the assignment of duties to its individual members and to subcommittees are also sufficiently recorded elsewhere, and are therefore omitted from this report.

As a result of a three days' meeting at Niagara Falls, as well as from prior knowledge of the locality, the committee noted the following conditions, which, apart from the question of any diminution in the cataract by the diversion of water, were and are distinctly objectionable:

(1) The steel arch highway bridge just below the Falls, connecting the city of Niagara Falls with the town of Clifton opposite, and having its American abutment at the lower end of the New York state reservation, has been built at such a level that its floor line practically coincides with the crest of the Falls as seen from view points along the brink of the gorge below; the floor system and the arched trusses which support it, projecting against the cataract and partially concealing it, destroy what would otherwise be the most satisfactory and impressive general view obtainable from the brink of the gorge.

Tentative plans have been under discussion for the erection of another bridge, close to the present one and just below it. This bridge, if erected, would greatly aggravate the existing objectionable condition.

(2) Throughout the milling district it has been the practice for years to waste liquid and solid refuse over the edge of the cliff and to dump rubbish in the open spaces between the buildings. The natural vegetation on the talus slope below is destroyed, and the cliff and talus have been for many years in a filthy condition.

The manufacturing buildings jumbled together along the brink of the gorge are, as a rule, neglected in appearance, many of them bad in design, and two at least—the large structures of the reduction companies—are disfiguring to an indescribable degree. Not only do they dwarf their surroundings and belittle the altitude of the cliff, but they form a sky line of colossal ugliness, insulting to the majestic beauty of the cataract. A number of smoky chimneys complete the disagreeable aspect of this district.

The building in the gorge at the base of the cliff, known as "power house No. 2," of the Niagara Falls Hydraulic Power and Manufacturing Company, is disfiguring from the design of its roof, and the huge naked steel penstocks which conduct the water from the canal above to its turbines near the river level. A further objectionable feature at this point is a concrete facing built against the cliff behind and above power house No. 2. This material with its dead gray color and smooth lifeless texture makes a disagreeable contrast with the natural rugged surface of the cliff itself.

The Niagara Falls Hydraulic Power and Manufacturing Company has under construction another power house, to be known as "No. 3," a short distance below No. 2. As a preliminary to the construction of

this power house, the company caused a large portion of the cliff to be blasted away, so as to cut it back to practically a vertical face; the material resulting from this work, together with the natural accumulation on the talus slope, was dumped into the river. The result was a huge scar on the face of the cliff, some 200 yards in length, with a level space below, only a few feet above the water in the river. On this level space the power house was being built when the committee saw it; it was well advanced at the time. The design of the power plant included the building itself, of concrete, with the details of its river elevation on a scale so large as to be altogether out of proportion to its surroundings; but worse than the power house was a row of huge penstocks, of which fifteen or more were to be included in the ultimate plan, and six were in process of installation when the committee saw them. These huge penstocks were to be brought down over the cliff and separately encased in concrete, finished at the top with a broad chamfer. At the top of the cliff the plans called for a row of ugly concrete structures, some pertaining to the fore bay from which the penstocks draw their water, and some were buildings designed for the use of industries using the power. This group of buildings, designed without regard to beauty of line, of proportion, or of material, further accentuates the disturbance of the natural beauty of the gorge at this point, and one of them, the new building of the Pittsburg Reduction Company, is without a parallel in conspicuous ugliness of mass and proportion.

(3) At numerous points in the milling district the tail water from wheels utilizing water under partial heads spouts from openings in the side of the cliff, producing an undignified, belittling, and disturbing effect.

(4) At the cable crossing at the lower gorge, the vegetation on the cliff and talus has been practically destroyed, producing an unsightly scar on both sides of the river.

(5) At several points in the lower gorge, on the American side, public and private dumps are maintained in a way that produces unsightly and offensive conditions.

(6) The vegetation on the American side, throughout the length of the gorge, has been, to a considerable extent, cut away and otherwise destroyed, leaving the American side bare and unattractive as compared with the Canadian side.

The committee after studying the objectionable conditions, described above, took such action as circumstances dictated, making use in certain cases of the granting of water permits to impose stipulations which otherwise would possibly have been ineffective. Taking up the objectionable conditions seriatim, the work of amelioration already accomplished by the committee and that proposed and recommended to be done, is briefly as follows:

(1) Relating to the proposed construction of a second bridge between the city of Niagara Falls and Clifton, the following clause in the water permit, issued to the Niagara Falls Electrical Transmission Company, was formally approved by the committee:

One of the objects of the law being the preservation of the natural scenic conditions of the Falls and the gorge, it is stipulated that the plans of carrying the power across the international boundary be submitted to the Secretary of War for approval before work is undertaken. For the same reason, it is further stipulated, that no steps be taken by the grantee, or its allied interests—as disclosed in its application for a permit—toward the construction of another bridge across the Niagara River.

As this permit can have no longer life than the law in accordance with which it is issued, steps should be taken to make the above clause permanent in operation. As regards the existing bridge, the committee recommends that when it is rebuilt, as it will have to be in time, the suspension type shall be adopted as the one form of this necessary structure which least interferes with the view of the Falls, and does not by its shape make a prominently discordant note in the landscape nor do violence to the impression of majestic and irresistible force, which the great cataract creates in the mind of every spectator. The floor of this bridge should be high enough to afford a clear view of the entire cataract from the brink of the gorge below.

(2) *Wasting refuse over the cliff.*—The Niagara Falls Hydraulic Power and Manufacturing Company either control or have an interest in practically all of the riparian property within the limits of which this practice has prevailed. Immediately below the highway bridge, however, is the outfall of the tail water tunnel of the Niagara Falls Power Company, and on the cliff just above this point is the gas works, which is one of the worst offenders, for it has permitted, ever since its installation, the discharge of its tar and oily waste over the cliff. As this material falls upon and over the property of the Niagara Falls Power Company it is possible for the latter to put a stop to the disfigurement.

The following clause in a permit issued to one of these power companies, which was approved by the committee, bears upon this point, and it should be made permanent in operation:

NIAGARA FALLS HYDRAULIC POWER AND MANUFACTURING COMPANY.

The grantee shall carry out in good faith the obligations which it has assumed in its letters to the War Department, or to the representatives of the Department, concerning the improvement of the scenic conditions of the American side of the gorge below the upper arch bridge.

Immediately after a visit of the committee to the Falls in April, the Niagara Falls Hydraulic Power and Manufacturing Company began to clean up the refuse from the part of the cliff and talus in which it is interested, and to restore, by planting, the vegetation which had been destroyed. The Niagara Falls Hydraulic Power and Manufacturing Company and the Niagara Falls Power Company have made arrangements to expend several thousand dollars in replanting the bank slope and all available unoccupied spaces under their control at the top of the cliff, in accordance with the suggestions of the committee.

Unsightly buildings, etc., on top of the cliff, within the milling district.—The committee feels that this condition, so far as the buildings are concerned, can not be materially remedied for the present by any means not beyond the scope of its instructions. The refuse in the open spaces has been pretty generally cleared away and the premises are now kept in better condition. The most offensive of these buildings are those of the reduction companies, with their huge unsightly ventilating towers.

Steps have been taken to render the chimney smokeless in operation. This will improve conditions somewhat, but the only effective remedy is the total removal of the entire group of buildings at the top of the cliff from their present location. This question is discussed more fully at the end of this report.

Power house No. 2.—As the machinery in this building depreciates and requires removal, it should be replaced by additions to power

house No. 3, and power house No. 2 should eventually be abandoned and removed. The Niagara Falls Hydraulic Power and Manufacturing Company has undertaken to bring about this change in the manner suggested.

Power house No. 3.—The power company has changed the design of this building, so as to reduce the scale of units in the river elevation. The walls are being built of rough rubble, made from the rock blasted from the cliff. The penstocks are being built in behind a screen wall of similar rubble from bottom to top. The result is that the necessary artificial structures are much less conspicuous, and blend more harmoniously with their natural surroundings. Photographs furnished by the power company and submitted with this report show very conclusively the merits of the plan now in process of execution.

(3) *Tail water discharged from face of cliff.*—The Niagara Falls Hydraulic Power and Manufacturing Company has also undertaken to abolish as many of the unsightly streams as possible at once. In fact a number of them have been abolished by arranging with the owners of the plants to which they pertain to take electrical power from the company's plants in lieu of the mechanical power formerly supplied. This results in more economical use of the water, and as long as water is diverted at all the users should be compelled to utilize the entire available head, so as to necessitate as small a diversion as possible. In the photographs submitted the streams designated by check marks will be abandoned in the near future. It will take a longer time to abolish the others without inordinate expense, and the committee feels that a reasonable time should be allowed, without, however, allowing the ultimate result to fail of accomplishment.

(4) *Destruction of vegetation at cable crossings.*—The following clause in a permit to the Niagara, Lockport and Ontario Power Company, and approved by the committee, is pertinent:

NIAGARA, LOCKPORT AND ONTARIO POWER COMPANY.

One of the objects of the law being the preservation of the natural scenic conditions of the Falls and gorge, it is stipulated that the grantee shall, either directly or through the Ontario Power Company, take steps to restore the natural growth on the sides of the gorge, where power is now brought into the United States. It is further stipulated that no additional power crossing shall be undertaken until the plans therefor have been approved by the Secretary of War.

This clause should be made permanently operative.

(5) *Dumping waste in lower gorge.*—This should be permanently discontinued, and the present accumulation of waste be cleaned away.

(6) *Vegetation on the American side.*—This has been greatly interfered with by dumping of refuse, by railroad construction and other similar work. It should be restored and protected.

In what goes before the committee has set forth in some detail, but as briefly as possible, the objectionable features of the present situation, and what has been accomplished in the way of amelioration. The net result is that some improvement will have been brought about in the immediate future, and the creation of additional objectionable conditions prevented. But under the existing law it is not possible to solve the general problem in a thoroughly satisfactory manner. The committee takes the liberty, therefore, of stating what it believes to be the only complete solution, together with the grounds for that belief. It may be added that there is no difference of opinion among

its members in reference to this matter and that the views of the committee are those of all its members.

The scenic attractions centering about Niagara Falls may be divided into three separate elements, consisting of the rapids above the cataract, the cataract itself, and the gorge below. These three elements combine to form a natural wonder not equaled elsewhere in the known world, for here scenic beauty is joined with an exhibition of resistless power. That this natural wonder should not be dispoiled to promote the material welfare of individuals the committee thinks may be accepted as a fundamental principle.

The rapids above the Falls, the American Falls, and Goat Island are within the area of the state reservation, and their preservation is assured. But more important in many ways than the tract in the immediate vicinity of the brink of the Falls is the gorge, where is witnessed an exhibition of power more impressive to many observers than that of the great cataract itself, seen, as it generally is, from the top. As the best view of the American Rapids is from a standpoint where the water appears to tumble out of the sky, so the most impressive view of the Falls is from below, either near at hand or from a distance. The whirlpool and the lower rapids can only be seen in their full majesty and might from near the water's edge.

If present conditions continue and the gorge remains in private ownership, not only will the disfigurements increase and multiply, but the extent of them will increase rapidly until the whole gorge will entirely lose its value from an æsthetic point of view. It is already projected to elevate the railroad tracks a short distance away from the edge of the cliff. The present electric road, which is desirable because it makes the gorge accessible, is a scar on the fair face of nature, because it has been built and is maintained without regard to the beauty of the landscape. These are only a few, but perhaps some of the most cogent, reasons which lead the committee to urge seriously and in all earnestness that a strip of property be acquired by the United States connecting with the state reservation at one end and extending the whole length of the gorge, embracing the talus, the cliff, and a tract of land at the top of the cliff not less than 100 yards wide, and that the same be converted into a national reservation under proper federal control.

This accomplished, all the buildings within this strip can be destroyed or moved back under such arrangements as will impose the least possible hardship upon private owners and corporations, the vegetation can be readily restored, and within a reasonable period of time the whole area in the immediate vicinity of the Falls and the gorge will return as nearly as possible to its original condition, with the added advantages of accessibility.

By means of additional legislation and agreements with the Canadian government, the diversion of water for power purposes should be kept within such limits that the impressiveness of the cataract shall not be diminished. As this question is under investigation by the Lake Survey, this committee does not undertake to say what these limits shall be. If a reasonable time is taken to bring about the establishment of the proposed national reservation, many of the changes and removals herein recommended will probably cost almost nothing, and while the total expense will still be considerable this committee feels that it will not be out of proportion to the importance of the end in view and

that the plan proposed would meet the approval of present and future generations. Nothing less will suffice to preserve to the world this great natural heritage, the destruction of which for commercial purposes is a crime against all peoples for all time. The establishment of the proposed reservation, with its proper restoration, regulation, and maintenance, is therefore urged upon the favorable consideration of all those whose cooperation is required to bring it about.

There are submitted with this report five photographs showing conditions near power house No. 3.

F. D. MILLET,
Chairman pro tempore;
FREDERICK LAW OLMSTED;
JOHN STEPHEN SEWELL;
CHARLES W. KUTZ,
Captain, Corps of Engineers, U. S. Army;
Members of the Committee.

Hon. WM. H. TAFT,
Secretary of War, Washington, D. C.

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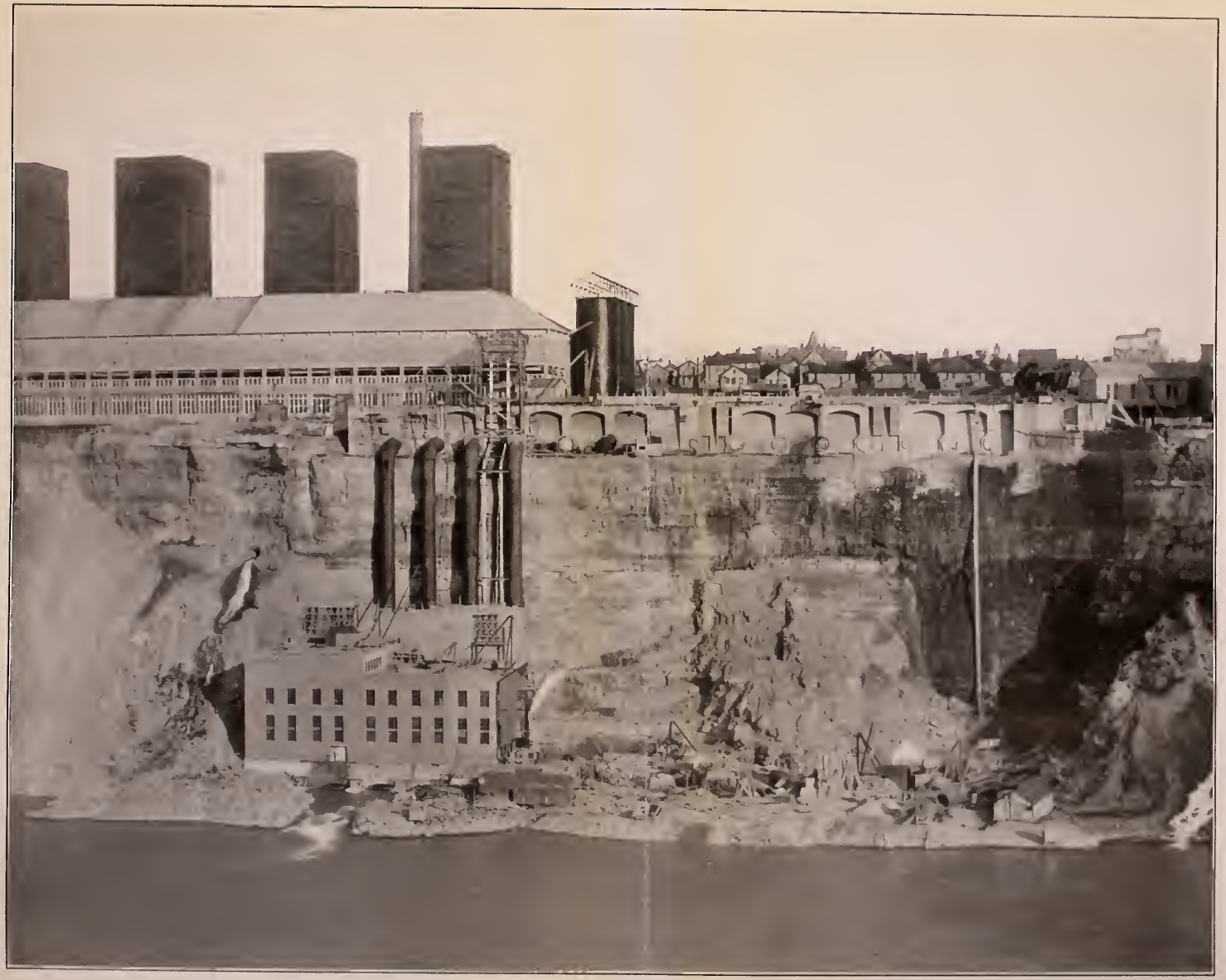
EXHIBIT A.

EXHIBIT B.



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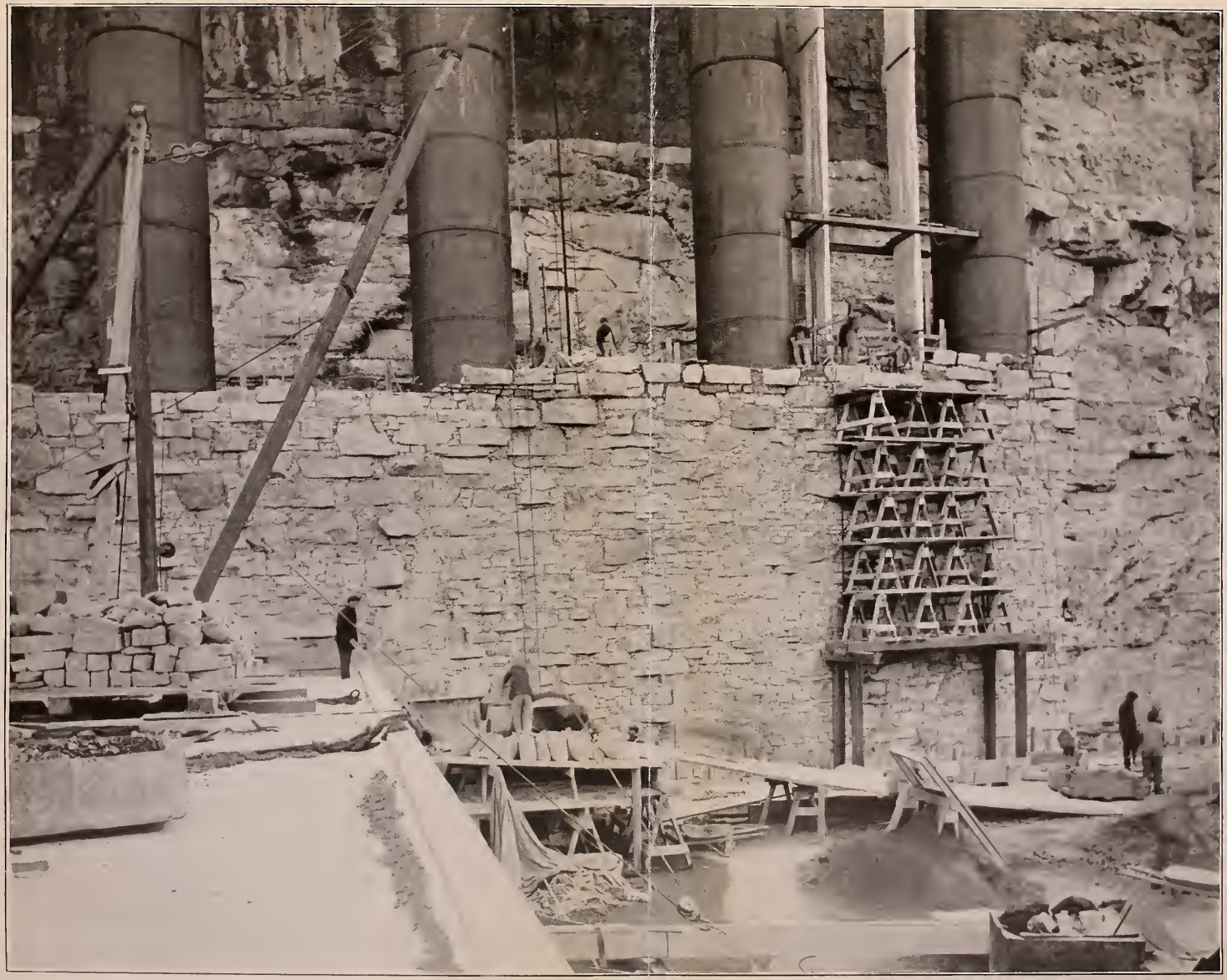

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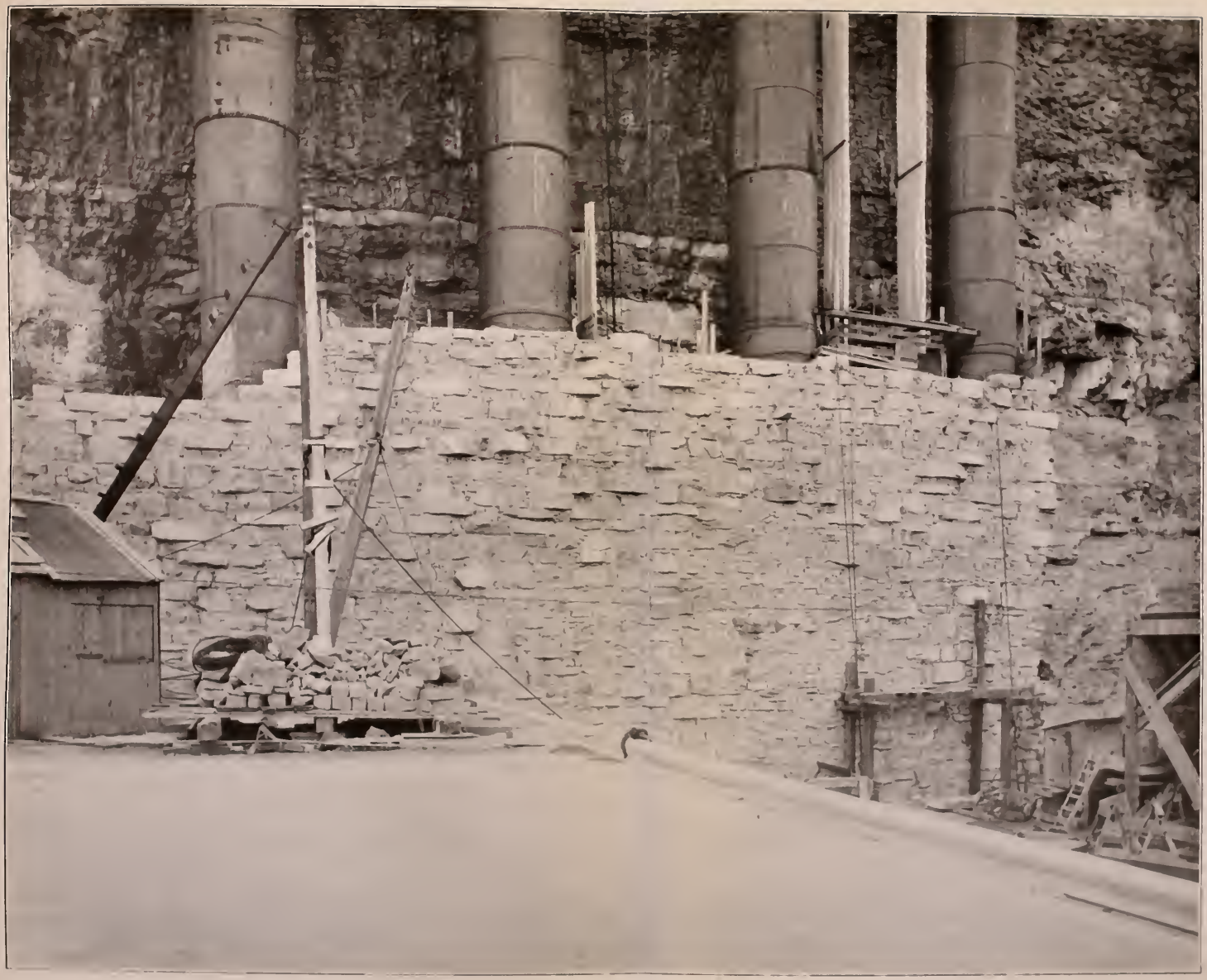

EXHIBIT E.

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